

**ASSEMBLY BILL**

**No. 844**

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**Introduced by Assembly Member Lara**

February 17, 2011

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An act to add Section 66016.3 to the Education Code, relating to student government.

LEGISLATIVE COUNSEL'S DIGEST

AB 844, as introduced, Lara. Student government: students qualifying for exemption from nonresident tuition.

The Donahue Higher Education Act sets forth, among other things, the missions and functions of California's public and independent segments of higher education, and their respective institutions of higher education.

Existing law exempts a student, other than a nonimmigrant alien, as defined, from paying nonresident tuition at the California State University and the California Community Colleges if certain requirements are met. Those requirements include that the person has attended high school in California for 3 or more years, has graduated from a California high school or has attained the equivalent thereof, has registered at or attends an accredited institution of higher education in California not earlier than the fall semester or quarter of the 2001–02 academic year, and, if the person is without lawful immigration status, has filed a certain affidavit.

This bill would add a provision to the Donahoe Higher Education Act that would provide that a student who is exempt from paying nonresident tuition under the provision referenced above is eligible to serve in any capacity in student government at the California State University or the California Community Colleges and to receive any

compensation, as defined, that is connected with that service to the full extent consistent with federal law. The bill would also state that it is declaratory of existing law.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 66016.3 is added to the Education Code,  
2     to read:  
3     66016.3. A student who is exempt from nonresident tuition  
4     pursuant to Section 68130.5 is eligible to serve in any capacity in  
5     student government at the California State University or the  
6     California Community Colleges and to receive any compensation  
7     that is connected with that service to the full extent consistent with  
8     federal law. As used in this section, “compensation” includes, but  
9     is not necessarily limited to, reimbursement for expenses incurred  
10    while conducting student government business, or a scholarship,  
11    stipend, or voucher. This section does not constitute a change in,  
12    but is declaratory of existing law.